



Application No. 09/892,993
Amendment dated: July 12, 2004
Re: to Office Action Mailed March 10, 2004

ETH-1567

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
KELLY R. BROWN, ET AL.

Group Art Unit: 1615

U.S. Serial No.: 09/892,993
Confirmation No.: 3764

Examiner: Blessing M. Fubara

Filed: June 27, 2001

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P.O. Box 1450, Alexandria, VA 22313-1450 on

For: POROUS CERAMIC/POROUS
POLYMER LAYERED SCAFFOLDS
FOR THE REPAIR AND
REGENERATION OF TISSUE

July 12, 2004

(Date of Deposit)

Judith M. Trauma 7-12-04
(Signature) (Date)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-FINAL OFFICE ACTION

Sir:

This communication is submitted in response to a non-final Office Action mailed March 10, 2004, the shortened statutory response period for which is extended by one month to July 10, 2004, by the Petition submitted herewith. Further, since July 10, 2004, falls on a Saturday, this communication is timely submitted if filed on July 12, 2004. Please enter the following remarks, and the attached Statement of Common Ownership and Terminal Disclaimer, in the above-captioned application.

REMARKS

In the present Office Action, the Examiner has rejected Claims 1-4, 6-17, 23 and 24 as being anticipated under 35 U.S.C. 102(e) by U.S. Patent 6,333,029 to Vyakarnam et al. ("the Vyakarnam Patent"). Applicants respectfully traverse this rejection. The tissue scaffolding of independent Claim 1 has a porous ceramic phase